



IN THE UNITED STATES PATENT AND TRADEMARK OFFICE
(Attorney Docket No. 07452-047001)
(3COM Docket No. 3372.TDC.US.P)
(MBHB Case No. 01-962)

In re the Application of:

Tim Murphy et al.

Serial No. 09/766,241

Filed: January 19, 2001

For: SUPERFRAME ALIGNMENT
TO A PRE-EXISTING ADSL
DATA EXCHANGE

Examiner: Phuong M. Phu

Group Art Unit: 2631

Confirmation No. 8858

Mail Stop ISSUE FEE
Commissioner for Patents
P.O. Box 1450
Alexandria, Virginia 22313-1450

RESPONSE TO NOTICE OF ALLOWANCE

Responsive to the Notice of Allowance mailed February 1, 2005, the Applicants submit the following Comments on the Examiner's Statement for Reasons for Allowance.

COMMENTS ON STATEMENTS OF REASONS FOR ALLOWNACE

Dear Sir:

The Applicants express appreciation for the allowance of the present application. The Applicants agree with the Examiner's reasons for allowance as far as art of record, alone and in combination, fails to show, teach, or suggest the entirety of each

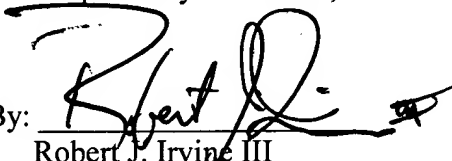
combination of steps and/or structure recited by each of the allowed claims of the present invention.

The Applicants respectfully submit that the Reasons For Allowance are only warranted in the instances in which the record of the prosecution as a whole does not make clear his or her reasons for allowing a claims or claims. Given the prior Office Actions and responses, however, the Applicants believe that the record as a whole does make the reason for allowance clear. And thus, the Applicants submit that a statement by the Examiner is unwarranted.

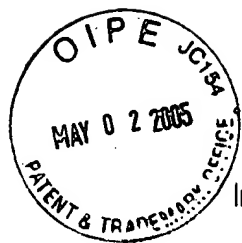
Further, the Applicants do not necessarily agree with each statement in the reason for allowance. Applicants submit that the Examiner has imported an interpretation into the claims in relation to the prior art that places an unwarranted interpretation upon the claims. While the Applicants believe that the claims are allowable, they do not acquiesce that patentability resides in each feature, exactly as expressed in the claims, nor that each feature is required for patentability.

Should the Examiner have any questions, the Examiner is encouraged to telephone the undersigned at (312) 913-3305.

Respectfully submitted,

By: 
Robert J. Irvine III
Reg. No. 41865

Dated: May 2, 2005



PATENT

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE
(MBHB Case No. 01-962)

In re Application of:)
)
Tim Murphy, et al.)
) Group Art Unit: 2631
Serial No.: 09/766,241)
) Examiner: Phuong M. Phu
Filed: January 19, 2001)
)
For: Superframe Alignment to a Pre-Existing)
ADSL Data Exchange)

TRANSMITTAL LETTER

Mail Stop: ISSUE FEE
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Sir:

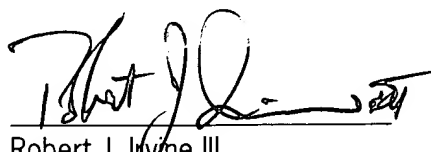
In regard to the above-identified application:

1. We are transmitting herewith the attached
 - a. Issue Fee Transmittal Form PTOL-85B
 - b. Response to Notice of Allowance
 - c. Check in the Amount of \$1,703.00
 - d. Return Receipt Postcard
2. Please charge any additional fees or credit overpayment to Deposit Account No. 13-2490. A duplicate copy of this sheet is enclosed.
3. CERTIFICATE OF MAILING UNDER 37 CFR §1.10: The undersigned hereby certifies that this Transmittal Letter and the paper described in paragraph 1, are being deposited with the United States Postal Service as "Express Mail Post Office to Addressee," addressed to Mail Stop: ISSUE FEE, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450 on May 2, 2005. Express Mail Label No.: EV 565795961 US

Respectfully submitted,
McDonnell Boehnen Hulbert & Berghoff LLP

Date: May 2, 2005

By:


Robert J. Irvine III
Reg. No. 41,865